

# UNITED STATES DISTRICT COURT

for the

Middle District of North Carolina

In the Matter of the Seizure of  
(Briefly describe the property to be seized)

All funds on deposit in Bank of America, N.A. account number  
237047984334, in the name of Robert W. Oliver Sole Prop, DBA  
Shenanigan Gigs

Case No. 1:24mj236

## APPLICATION FOR A WARRANT TO SEIZE PROPERTY SUBJECT TO FORFEITURE BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or attorney for the government, request a seizure warrant and state under penalty of perjury that I have reason to believe that the following property in the Middle District of North Carolina is subject to forfeiture to the United States of America under 18 U.S.C. §

981(a)(1)(A) & (describe the property):  
982(a)(1)

All funds on deposit in Bank of America, N.A. account number 237047984334, in the name of Robert W. Oliver Sole Prop, DBA Shenanigan Gigs

The application is based on these facts:

See attached Affidavit.

☒ Continued on the attached sheet.

/s/ Alberto Sanabria, US Postal Inspector, USPS

Applicant's signature

Alberto Sanabria, US Postal Inspector

Printed name and title

In accordance with Rule 4.1(b)(2)(A), the Applicant appeared before me by telephone, was placed under oath, and attested to the contents of this Application, which was submitted to me by reliable electronic means.

Date:

6/7/2024

City and state: Winston-Salem, NC

Joi Elizabeth Peake

Judge's signature

Hon. Joi Elizabeth Peake, United States Magistrate Judge

Printed name and title

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

IN THE MATTER OF THE SEIZURE OF:

ALL FUNDS IN  
BANK OF AMERICA ACCOUNT 114092752,  
BANK OF AMERICA ACCOUNT 237047984334,  
and BANK OF AMERICA  
ACCOUNT 237046329725

Case No. 1:24mj236

**AFFIDAVIT IN SUPPORT OF  
APPLICATION FOR SEARCH AND SEIZURE WARRANT**

I, Alberto G. Sanabria, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I am a United States Postal Inspector with the United States Postal Inspection Service (“USPIS”) and have been so employed since 2013. During this time, I have been assigned to the Financial Crimes team and Prohibited Mailing Narcotics team where my duties include the investigation of fraud-related criminal schemes and prohibited mailing of controlled substances. I have received formal classroom training from the United States Postal Service Inspection Service during the 12-week Postal Inspector Basic Training Academy in Potomac, Maryland. I have received formal instruction from U.S. Postal Inspectors as well as other federal, state, and local law enforcement agents who have done extensive work in the areas of mail fraud, wire fraud, and the use of the U.S. mail to execute fraudulent acts. Based on my training and experience, I am familiar with the current method of operation that individuals and groups use to engage in illegally obtaining merchandise from retail establishments, through theft and/or fraud, and using the U.S. mail to send and receive the merchandise.

### **PURPOSE OF THE AFFIDAVIT**

2. Based on my training and experience and the facts set forth in this affidavit, there is probable cause to believe that Robert “Bob” Oliver (“OLIVER”) committed violations of 18 U.S.C. § 2314 (interstate transportation of stolen property), 18 U.S.C. § 1341 (mail fraud), 18 U.S.C. § 1343 (wire fraud), and 18 U.S.C. § 1349 (conspiracy to commit mail and wire fraud), and 18 U.S.C. § 1956(a)(1) (money laundering) (collectively, the “SUBJECT OFFENSES”).

3. I make this affidavit in support of the attached application under 18 U.S.C. §§ 981(a)(1)(C) and 982(a)(1), and 28 U.S.C. § 2461, for combined criminal and civil seizure warrants for all funds on deposit in the following accounts:

- a. Bank of America, N.A., account 114092752, in the names of Robert W. Oliver and In-Ok Oliver;
- b. Bank of America, N.A., account 237047984334, in the name of Robert W. Oliver Sole Prop, DBA Shenanigan Gigs; and
- c. Bank of America, N.A. in account 237046329725, in the name of Robert W. Oliver,

(hereafter the “SUBJECT ACCOUNTS”). As set forth herein, there is probable cause to believe that funds on deposit in the SUBJECT ACCOUNTS constitute property involved in transactions or attempted transactions in violation of 18 U.S.C. § 1956, and are therefore subject to seizure and civil or criminal forfeiture pursuant to 18 U.S.C. §§ 981(a)(1)(A) and 982(a)(1). Accordingly, I respectfully request that warrants be issued authorizing the seizure of all funds in the SUBJECT ACCOUNTS.

4. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrants and does not set forth all of my knowledge about this matter.

### SUBJECT OFFENSES

5. Title 18, United States Code, Section 1341 (Mail Fraud) prohibits a person, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, for the purpose of executing such scheme or artifice or attempting to do so, from placing in any post office or authorized depository for mail matter, any matter or thing whatever to be sent or delivered by the Postal Service, or depositing or causing to be deposited any matter or thing whatever to be sent or delivered by any private or commercial interstate carrier, or taking or receiving therefrom, any such matter or thing, or knowingly causing to be delivered by mail or such carrier according to the direction thereon, or at the place at which it is directed to be delivered by the person to whom it is addressed, any such matter or thing.

6. Title 18, United States Code, Section 1349 (Conspiracy to Commit Mail Fraud) prohibits a person from attempting or conspiring to commit mail fraud, the commission of which was the object of the attempt or conspiracy.

7. Title 18, United States Code, Section 2314 (interstate transportation of stolen property) prohibits a person from transporting, transmitting, or transferring in interstate or foreign commerce any goods, wares, merchandise, securities, or money, of the value of \$5,000 or more, knowing the same to have been stolen, converted, or taken by fraud.

8. Title 18, United States Code, Section 1343 (wire fraud) prohibits a person from, having devised or intending to devise any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises, transmitting or causing to be transmitted by means of wire, radio, or television communication in interstate or



foreign commerce, any writings, signs, signals, pictures, or sounds for the purposes of executing such a scheme or artifice.

9. Title 18, United States Code, Section 1956(a)(1) (money laundering) generally prohibits a person, knowing that the property involved in a financial transaction represents the proceeds of some form of unlawful activity, from conducting or attempting to conduct such a financial transaction which in fact involves the proceeds of specified unlawful activity (A)(i) with the intent to promote the carrying on of specified unlawful activity, or (ii) with the intent to engage in conduct constituting a violation of section 7201 or 7206 of the Internal Revenue Code of 1986; or (B) knowing that the transaction is designed in whole or in part (i) to conceal or disguise the nature, the location, the source, the ownership, or the control of the proceeds of specified unlawful activity, or (ii) to avoid a transaction reporting requirement under State or Federal law.

#### **PROBABLE CAUSE**

10. In the course of my duties as a United States Postal Inspector with the USPIS, I, alongside other law enforcement investigators and retail investigators, have been conducting a criminal investigation associated with an organized retail crime scheme involving the theft of various retail products, including over the counter (“OTC”) products and medications, from retail stores and pharmacies. This investigation has revealed a large-scale operation involving individuals, also known as “boosters,” who steal the retail products throughout the United States. These boosters then sell the items to individuals, also known as “fences,” who are responsible for receiving the items, and selling them to end consumers through eBay.

11. Investigators identified several boosters in Indiana who are suspected of selling the items to Tina Creech Herwehe, her son Anthony McKinney, and others, at a residence located in Indianapolis, IN. Herwehe then ships the products to OLIVER using the U.S. Mail and other

carriers to OLIVER's residence located at 422 Foster Lane, Pittsboro, NC. Investigators additionally identified other individuals in Maryland who shipped large quantities of retail products to OLIVER at his residence. OLIVER, who has numerous eBay accounts, then sells the products to end consumers on eBay and ships the products through the U.S. Mail. Based on eBay records associated with OLIVER's various eBay accounts, retail investigators have estimated several million dollars in losses to retail companies as a result of the scheme.

**A. USPS Parcel 35US & USPS Parcel 14US**

12. Beginning on or about May 21, 2019, the United States Postal Inspection Service intercepted two United States Postal Service ("USPS") parcels bearing tracking numbers EE179287535US ("Parcel 35US") and EE391166014US ("Parcel 14US"), going to the OLIVER's residence. Postal Inspectors applied for Federal Search Warrants, and the Honorable United States Magistrate Judge Joi Elizabeth Peake signed the warrants (1:19MJ174 & 1:19MJ175). The parcels were deemed suspicious in nature because, although both were mailed from St. Louis, Missouri, one had a return address of Broadview, Illinois 60155 (1:19MJ174), and the other had a return address of Darien, Wisconsin 53114 (1:19MJ175). Both parcels had handwritten labels and were heavily taped, including all seams of the boxes.

13. The parcels were opened by Postal Inspectors on May 23, 2019, pursuant to the signed Federal Search Warrants. The parcels contained retail products, such as name brand OTC medication and some store-branded OTC medication, from retail stores. The two parcels contained items such as Prevagen, Viviscal, Extenz, Florastor, PlanB, Imedeen, RepHresh, PRO-B, and Zyrtec. The items were repackaged and subsequently delivered to OLIVER.

## **B. eBay Accounts**

14. The investigation confirmed that OLIVER sells retail products, in part, through various eBay accounts and utilizes the OLIVER's residence to receive, store, and ship the items. OLIVER sells the merchandise through eBay, which includes but is not limited to, Prevagen, Viviscal, Extenz, Florastor, PlanB, Imedeen, RepHresh, PRO-B, Zyrtec, and many other products. The following is a list of eBay company, also known as "eBay Store", accounts (the "SUBJECT BUSINESSES") registered to OLIVER, that, as of the day of the application for this warrant, have retail products listed for sale:

- a. carolina\_otc (seller ID name is listed as Carolina\_OTC)
- b. emily-tastic (seller ID name is listed as emilys\_finds247)
- c. olivertwistnc (seller ID name is listed as OLIVERTWIST'S SUPPLEMENTS AND MORE)

The registration information on all three eBay accounts lists OLIVER's name, OLIVER's residence, and phone number of (919) 444-4880. Records show phone number (919) 444-4480 is associated with OLIVER. The email accounts associated with each account are as follows:

- a. carolina\_otc: olivertwistnc2011@yahoo.com
- b. emily-tastic: olivertwistnc2003@gmail.com
- c. olivertwistnc: olivertwistnc2003@yahoo.com

15. In reviewing eBay transactions associated with the "carolina-otc" account from February 2020 to February 2024, investigators discovered over 25,000 items were sold through that account which totaled approximately \$812,611 in revenue. The majority of the items sold consisted of items such as OTC products sold in retail stores.

16. In reviewing eBay transactions associated with the “emily-tastic” account from February 2020 to February 2024, investigators discovered approximately 28,000 items were sold through that account which totaled approximately \$1,024,641 in revenue. The majority of the items sold consisted of items such as OTC products sold in retail stores.

17. In reviewing eBay transactions associated with the “olivertwistnc” account from February 2020 to February 2024, investigators discovered approximately 26,000 items were sold through that account which totaled approximately \$942,215 in revenue. The majority of the items sold consisted of items such as OTC products sold in retail stores.

18. A review of some recently listed items (from records obtained directly from eBay) sold on all three of OLIVER’s eBay accounts reveals the following transactions:

Account Name	Title of Items Sold	Listing IP Address <sup>1</sup>	Sale Creation Date/Time	Purchase Date/Time
carolina_otc	BOTH BOTTLES of Prevagen Extra Strength AS PICTURED TOTAL OF 60 CAPSULES 2X1102	75.189.129.3	2/1/2024 11:44	2/4/2024 16:25
emily-tastic	Prevagen CHEWABLE EXTRA STRENGTH Mixed Berry flavor 30 Tablets 20mg #1027	75.189.129.3	2/3/2024 6:15	2/6/2024 21:37
olivertwistnc	3 Bottles of Prevagen Professional Strength 30 Capsules Lot of 3 x 30 CT #1010!!	75.189.129.3	1/25/2024 3:06	1/26/2024 14:00

As noted above, all three of OLIVER’s eBay account listings were listed using the IP address 75.189.129.3.

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<sup>1</sup> An IP address, or Internet Protocol address, is a unique identification number assigned to a device that is connected to a computer network or the internet.



19. eBay records additionally show that OLIVER has a fourth active eBay account, “Carolina\_DEALS247,” that primarily sells sports cards and sports memorabilia. eBay records do show that this account has sold retail products in the past. This account additionally lists OLIVER’s residence as the street address on the account registration. Furthermore, records show listings on this account as being associated with the IP address 75.189.129.3.

20. Records show IP address 75.189.129.3 as belonging to Charter Communications, Inc. (“Charter”), a telecommunications company that offers internet, television, and phone services. Charter subscriber records reveal OLIVER’s residence as being the physical location linked to IP address 75.189.129.3. Furthermore, Charter records show the subscriber name associated with the IP address as OLIVER.

21. According to CVS Pharmacy’s Organized Retail Crime and Corporate Investigations (ORCCI), which is a group that monitors online websites and auction sites for the unauthorized selling of products carried by CVS, OLIVER is one of the largest sellers of OTC medications who is not an authorized retailer. An authorized retailer is an individual, business, or legal entity that has been officially appointed by a manufacturer to sell its products or service. As an example, according to Quincy Biotech, the manufacturer of Prevagen<sup>2</sup>, in order for an entity to legally sell Prevagen, it must be authorized by Quincy Biotech. According to Quincy Biotech, OLIVER is not an authorized seller.

22. Additionally, ORCCI representatives advised that national chain retailers are unable to purchase merchandise at the price at which OLIVER is selling them. The below chart

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<sup>2</sup> Prevagen is a non-FDA approved over-the-counter dietary supplement sold at various national retailers.

depicts the price differences between items listed on OLIVER's eBay accounts in comparison to retail prices as of April of 2024:

Retail Product	olivertwistnc Price	Emily-tastic Price	Carolina_otc Price	CVS.com Price	Walgreens.com Price
Prevagen Professional Strength – 30 capsules	_____	\$59.95	_____	\$89.99	\$89.99
Muro 128 5% eye solution- ½ FL Oz	\$18.99	\$18.99	_____	\$36.79	\$36.99
PlanB One-Step- 1.5 mg	\$22.95	_____	\$29.99	\$49.99	\$49.99
Nicorette Gum 2MG- 160 pieces	_____	_____	\$52.99	\$78.49	\$75.99
Rephresh Pro-B- 30 Capsules	\$21.95	\$19.95	_____	\$38.99	\$41.99

23. As of May 7, 2024, all three of OLIVER's eBay accounts had active listings consisting mainly of retail products, including OTC medications. Specifically, the eBay account "olivertwistnc" had 68 products listed for sale; the eBay account "emily-tastic" had 63 products listed for sale; the eBay account "carolina-otc" had 76 products listed for sale.

### C. January 26, 2021, Undercover Purchase

24. On or about January 26, 2021, the CVS ORCCI Manager made a controlled purchase of Prevagen from OLIVER's eBay site, "olivertwistnc." On January 30, 2021, the Prevagen arrived at its intended destination. The package listed the sender name as OLIVER with the return address being OLIVER's residence. The Prevagen's box was checked, and a radio-

frequency identification (“RFID”)<sup>3</sup> tag was located. The tag was scanned using an RFID scanner and it was determined that the original product had been purchased by Food Lion and was intended to be sold on Food Lion shelves, and not through an eBay seller with the username “olivertwistnc.”

#### **D. Indiana Surveillance**

25. Through the investigation, investigators discovered that numerous large parcels suspected of containing retail merchandise such as OTC products were being mailed from Tina Herwehe’s residence located at 5020 Southeastern Avenue, Indianapolis, IN 46203, to the OLIVER’s residence. Between on or about February 7, 2022, and on or about May 16, 2024, investigators conducted surveillance, through in-person physical observations as well as through the use of a pole camera, at Herwehe’s residence. Multiple individuals, both identified and unidentified, were observed bringing large containers, garbage bags, and plastic hand baskets (similar to baskets used at retail stores) filled with what appeared to be product sold by retail stores to Herwehe’s Indiana residence. Based on my training and experience, and that of other trained investigators, this activity is consistent with trafficking in stolen merchandise.

26. One of the individuals identified by investigators, Kevin Nichols, was observed arriving to Herwehe’s Indiana residence in a Honda Accord on February 8, 2022. Nichols was observed handing a white trash bag containing small boxes to Anthony McKinney and then walking into Herwehe’s residence. Investigators then observed Nichols exiting the residence a

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<sup>3</sup> Prevagen packages are equipped with Radio Frequency Identification, or RFID, tags, which is a security feature used for tracking inventory. RFID scanners can identify a code for the product from Quincy Biotech, the makers of Prevagen, which allows them to identify what company purchased it and what distribution center it was sent to.

short time later with cash in his hand and without the white trash bag. Investigators later discovered that on March 2, 2022, Nichols was arrested in Brownsburg, IN, after attempting to steal nine retail products from a CVS store. Law enforcement officers subsequently searched Nichols' Honda Accord that was parked outside the CVS. Officers located and seized 57 retail products from the vehicle, with some of the items still in plastic theft-proof containers called Alpha Keepers or Alpha Boxes (clear plastic containers retailers such as CVS and Walgreens use to help minimize theft of high-value merchandise).

27. On or about March 22, 2022, a trash pull was conducted at Herwehe's residence at 5020 Southeastern Avenue, Indianapolis, IN. In the trash, investigators discovered the same theft prevention alpha box containers which had been opened. None of the alpha boxes appeared to be forcefully opened or damaged. Investigators determined that someone at the residence likely had a key to open the alpha boxes. These keys are usually kept by retailers to open alpha boxes and access the merchandise for paying customers. The discovery of empty open alpha boxes is highly indicative of product that was stolen inside the alpha boxes. Criminals associated with retail theft will steal alpha boxes containing the product, remove the product, then discard the empty alpha boxes. In my training and experience, it can be common for some fences to require boosters to remove all security features such as alpha boxes and security tags prior to shipping the products to the fences. Below is an image of the empty alpha boxes found during the March 22, 2022, trash pull:





28. Between December of 2022 and June of 2023 investigators observed several individuals, on 12 occasions, bringing products in backpacks, red baskets which appeared to be consistent with CVS baskets, and other large bags and containers to Herwehe's residence.

29. While conducting physical surveillance at Herwehe's residence on June 8, 2023, investigators observed Anthony McKinney leaving the residence and traveling to a gas station located at 50 W Thompson Road, Indianapolis, IN 46227. At the gas station, Anthony McKinney met with a white female who arrived in a small sedan. The female carried a large blue plastic bin from her vehicle to the rear of Anthony McKinney's vehicle. Investigators observed Anthony McKinney retrieve a garbage bag and a retail store basket believed to contain retail products from the rear of his vehicle. He was observed sorting through product and placing items into her plastic bin. He then carried the bin to her vehicle and placed it inside the trunk of the vehicle. Investigators then observed the female handing Anthony McKinney cash.



30. On January 30, 2024, investigators conducted a trash pull of Herwehe's residence. The trash pull led to the discovery of seven packages with electronic article surveillance (EAS) tags attached. The tags were tested at a nearby CVS, showing that they were still activated. EAS tags are normally deactivated during a purchase at the cash register. This indicates that the items were not paid for and were not processed through a point of sale.



31. On January 31, 2024, at approximately 3:23 p.m., investigators observed Anthony McKinney beside his vehicle removing retail merchandise, including what appeared to be Gillette brand razors and Prilosec OTC medication, from a blue tote. The tote appeared to be the same, or similar, to the blue tote which investigators observed Anthony McKinney using to transfer merchandise believed to be stolen on June 8, 2023. Investigators then observed Anthony McKinney place the items into a box and then enter his residence.



32. On January 31, 2024, at approximately 6:49 p.m., investigators observed a white truck arrive at Herwehe's residence. An unknown male gave Anthony McKinney two white garbage bags from inside of the vehicle. Anthony McKinney and the unknown male spoke for approximately eight minutes. The truck departed and Anthony McKinney was seen taking the white garbage bags into the house.





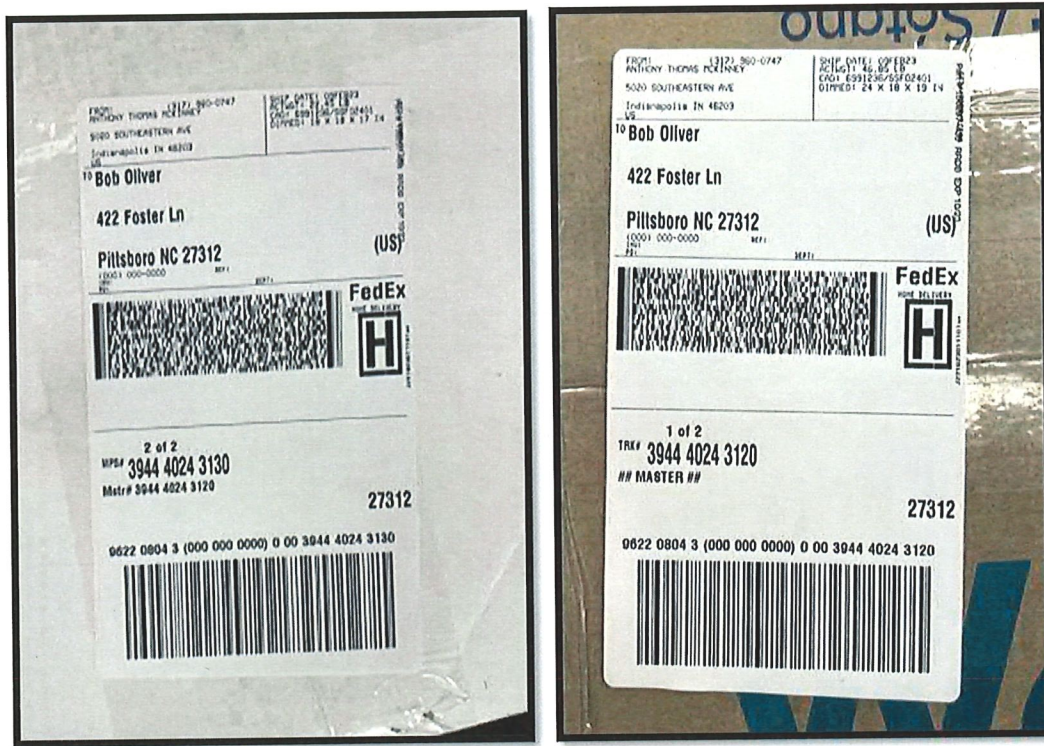
33. On May 15, 2024, investigators observed a second white truck arrive at the residence. An unknown male was seen exiting the vehicle with a white plastic bag and carrying it into the residence. Approximately seven minutes later, the unknown male returned to his vehicle without the white plastic bag and drove off. Based on my training and experience, the instances observed through surveillance, as described above, are likely exchanges of stolen products and payment for them.

**E. FedEx and USPS Shipments Between OLIVER's Residence and Herwehe Residence**

34. On February 9, 2023, investigators observed Anthony McKinney carry a large Lowe's box into a vehicle. Investigators followed the vehicle to a FedEx store located at 4155 South East Street, Indianapolis, IN 46227. McKinney was observed carrying the large brown Lowe's box, as well as a large white box, into FedEx. While inside the FedEx store, investigators overheard Anthony McKinney tell the FedEx employee the boxes were going to OLIVER. After Anthony McKinney left FedEx, investigators were able to examine the exterior of the boxes. The



labels from both boxes had OLIVER's residence listed as the shipping address. The return address on both labels was Anthony McKinney, 5020 Southeastern Avenue, Indianapolis, IN.



35. Retail investigators utilized a RFID scanner on the exterior of the boxes and they were able to identify seven units of Prevagen inside the packages. The RFID scan results showed the Prevagen units originated from three different distribution centers. These included a CVS location, a Walgreens location, and a Kroger location. This activity was video recorded and the boxes were not opened or intercepted.

36. According to FedEx records, between August 24, 2020, and October 8, 2022, over 300 FedEx shipments, with an average weight of 29 pounds per parcel, were sent from Anthony McKinney to OLIVER's residence at 422 Foster Lane, Pittsboro, NC 27312. Based on my training and experience, I am aware that, at times, using shipping services such as FedEx for larger and/or heavier parcels can be more cost-effective than using the USPS. Additionally, based

on my training and experience, and the aforementioned February 9, 2023, FedEx shipment, it is likely that the 300 FedEx shipments from Anthony McKinney to OLIVER contained stolen retail products.

37. USPS records show that between March of 2022 and February of 2024, 25 Priority Mail Express parcels weighing one pound or less, were mailed from OLIVER to Herwehe's residence located at 5020 Southeastern Avenue, Indianapolis, IN. One of these parcels, discussed below under the paragraph titled "Parcel 7743," was confirmed to contain thousands of dollars in U.S. currency, and the others are suspected of containing U.S. currency given the similarities in parcel weight and USPS delivery services used. A second parcel identified by Postal Inspectors, USPS Priority Mail Express parcel bearing USPS tracking number 9481711108033417911744, was sent by OLIVER on July 28, 2022, and shipped to Anthony McKinney at his address located at 5020 Southeastern Avenue, Indianapolis, IN. Records show the postage was paid through a STAMPS.COM online postage meter, account number 14406527. The name on the account is listed as OLIVER and the address on the account is listed as OLIVER's residence. Furthermore, the email address listed on the account is olivertwistnc2003@yahoo.com, which has been previously discussed in this affidavit as being linked to OLIVER.

38. Based on my training and experience, I am aware that Express Mail overnight delivery is intended to be next-day service. The USPS also provides a tracking service through a USPS tracking number, which allows the customer to track the parcel and confirm delivery.

39. Based on my training and experience, and that of other trained investigators, I know that individuals who engage in criminal conspiracies utilize USPS to send and receive items, including money, due to the security of mailing via USPS. I also know that people involved in criminal activity prefer mail/delivery services such as Express Mail and Priority Mail because

of their reliability and the ability to track the article's progress to the intended delivery point. Further, the expedited shipping option makes it easier for individual(s) who mail illegal items and/or illegally obtained money, to circumvent law enforcement detection.

#### **F. USPS Parcel 7743**

40. On or about August 4, 2022, Postal Inspectors were alerted by the Garfield Post Office in Indianapolis, Indiana of the following parcel addressed to Anthony McKinney, at 5020 Southeastern Avenue, Indianapolis, IN: One USPS Priority Mail Express parcel bearing USPS tracking number 9481 7111 0803 3433 2377 43, addressed to "Anthony McKinney, 5020 Southeastern Ave, Indianapolis IN 46203-3764" with OLIVER and his residence listed as the return address.

41. On August 4, 2022, at approximately 9:37 a.m., Postal Inspectors retrieved Parcel 7743 from the Garfield Post Office, Indianapolis, IN. On August 8, 2022, Postal Inspectors applied for a search warrant for Parcel 7743. That application was granted by the Honorable Judge Doris Pryor for the Southern District of Indiana on August 9, 2022 (case number 1:22-mj-0682). On August 9, 2022, the warrant for Parcel 7743 was executed. Contained within Parcel 7743 was \$4,780.00 in U.S. currency. The currency was returned to Parcel 7743, and the parcel was returned to the mail stream in order to continue the investigation.

#### **G. Audio Recordings**

42. On August 4, 2022, an individual identifying himself as Mike Hines, called USPS inquiring about Parcel 7743. In the call, Hines states the package was going to his friend's house on Southeastern Avenue. While on the call, Hines can be heard making another call on a different phone, confirming with an individual he refers to as "Tony" the exact address the package was going to. "Tony" confirms the address is 5020 Southeastern Avenue. Based on the



knowledge of this investigation, inspectors believe Hines was speaking with Anthony McKinney while on the call with USPS. In the call, Hines stated the parcel contained documents and information that they needed.

43. On August 8, 2022, an individual identifying himself as OLIVER, calling from 919-444-4880, which is a phone number previously linked to OLIVER, called USPS customer service inquiring about Parcel 7743. OLIVER stated he sent a guy he knows approximately \$4,000.00 in cash through USPS. In the call, OLIVER confirmed Parcel 7743 was picked up from his residence, 422 Foster Ln, Pittsboro, NC 27312, which is OLIVER's residence. In the call, OLIVER stated he had wired the guy money before because he is an eBay seller, and OLIVER had bought merchandise from him before to resell. Further, on the call, OLIVER confirmed his email address was olivertwistnc2003@yahoo.com. Based on the knowledge of this investigation, inspectors believe the individual OLIVER was referring to in this call was Anthony McKinney.

44. Based on my training and experience, and that of other Postal Inspectors who have experience with parcels containing money derived from suspected illicit activities, I know that individuals who call regarding such packages often provide differing stories or variations of the truth as to the contents and/or reason behind the mailing of the package. Because Hines and OLIVER gave different explanations as to what was contained in the package, I believe this was an attempt to conceal the nature of the money that was contained in the package.

#### **H. USPS Parcel 8254**

45. On January 26, 2023, Postal Inspectors were profiling packages going to OLIVER's residence and intercepted a parcel with tracking number 9505511001413024138254 ("Parcel 8254") that was suspicious in nature. The parcel sounded like it contained pills when moved, and like the boxes shipped to OLIVER's residence in 2019 had a handwritten label and



was heavily taped. Postal Inspectors applied for Federal Search Warrants, and the Honorable United States Magistrate Judge L. Patrick Auld signed the warrant (1:23MJ51).

46. The parcel was opened by Postal Inspectors pursuant to the signed Federal Search Warrant. The parcel contained the following retail products and name brand OTC medications and some store brand products and OTC medications from CVS and Walgreens.

<u>Items in Box</u>	<u>Quantity</u>
Dermend (Pink)	10
Dermend (Blue)	7
CoQ-10 400 mg	4
Prevagen Extra Strength – Chewable	2
Prevagen Extra Strength – 60 Capsules	3
Prevagen Extra Strength – 30 Capsules	4
Prevagen 30 Capsules	2
RepHresh – Vaginal Probiotic Supplement	3
RepHresh Pro-B Feminine Probiotic Supplement	3
Crest 3D Whitestrips	2
Natural Lamb Luxury Condoms	2
Kardia Mobil	2
Systane Zaditor	6
Muro	10
Super Bata Prostate	5
Ageless Male	3
HClear for him	3
FemiClear	3
FDgard	9
IBgard	9
Mucinex DM	5
Mucinex	2

The parcel was repackaged and placed back in the mail stream for delivery.

#### **I. Interview of S.B.**

47. On February 27, 2024, I interviewed a former employee of OLIVER, an individual whose initials are S.B. S.B., and other individuals who worked for OLIVER, worked at OLIVER's residence. S.B. specifically worked at OLIVER's residence from 2019 to 2022. S.B.'s duties as an employee of OLIVER were opening large Lowe's boxes filled with retail

products, sorting the items, making sure the expiration dates were still valid, taking photos of the items, and listing the items on eBay. S.B.'s statement of receiving large Lowe's boxes at the OLIVER's residence is consistent with investigator's observations of Anthony McKinney shipping out large Lowe's boxes to OLIVER's residence from Indiana.

48. S.B. admitted that OLIVER paid S.B. \$25-\$30, in cash, per hour or roughly \$80-\$100 per day. S.B. additionally confirmed that OLIVER paid S.B. under the table. According to S.B., OLIVER said the cash he was paying S.B. was after taxes were already taken out.

49. OLIVER gave S.B. access to his eBay accounts so S.B. could list the items and respond to customers. Once these items would sell on eBay, S.B. would package the items, print shipping labels, and ship the items out from OLIVER's residence via the USPS. S.B. believed the USPS would pick up between 150 to 200 packages a day from OLIVER's residence.

50. USPS records show that in 2022 and 2023, OLIVER shipped out over 28,000 parcels from OLIVER's residence through the USPS.

51. OLIVER told S.B. that he purchased the items at discounted prices from stores that went out of business. These items included merchandise that would originally be sold at grocery stores like Wal-Mart and retail stores like CVS, and included health and beauty items, vitamins, condoms, make-up, and over-the-counter medications. OLIVER additionally instructed S.B. to remove any security sticker tags that were found on some of the items before listing them for sale. S.B. also noticed many of the items were shipped to OLIVER with security tags already damaged. When asked why OLIVER had S.B. take off the security stickers, S.B. said that OLIVER stated that he did not want the items to look damaged when posting photos of the items on eBay.

52. While working for OLIVER, S.B. recalled seeing numerous items encased in Alpha Box security containers. Specifically, S.B. stated that those particular cases were placed on a shelf inside OLIVER's residence. As previously mentioned in this affidavit, alpha boxes are security containers used by retailers to minimize theft of high-value merchandise and require a special key to open them.

53. To figure out the listing price for each item sold through OLIVER's eBay accounts, OLIVER requested that S.B. research prices online for each particular item. OLIVER maintained a spreadsheet for the inventory which listed the cost of the item, the profit OLIVER wanted to make off each item, and the listing price. All of OLIVER's employees had laptops that were collectively synced together so that employees could access the main pricing spreadsheet. When asked who added the cost or price paid for each item to the spreadsheet, S.B. stated that OLIVER somehow added the cost of each item to the spreadsheet prior to the employees inventorying and entering each item onto the spreadsheet. S.B. confirmed that OLIVER had his own desktop computer that he primarily used. S.B. believed that OLIVER had numerous desktop computers that he used. S.B. additionally told investigators that OLIVER owned multiple cellular telephones and would send emails and text messages related to the SUBJECT BUSINESSES from his cell phones. From memory, S.B. recalled OLIVER's phone number as being (919) 444-0880, which is one digit off from OLIVER's actual number of (919) 444-4880. A check of the phone number provided by S.B., (919) 444-0880, shows that it is not registered to anyone. In my training and experience, given the similarity between both phone numbers, S.B. attempting to recall the number by memory, and the number provided by S.B. as not being a registered number, it is likely that S.B. was attempting to recall OLIVER's actual phone number (919) 444-4880.

54. According to S.B., OLIVER would send cash payments, via USPS Express Mail, to individuals who sold him the bulk merchandise. S.B. also recalled OLIVER repeatedly going to Navy Federal Credit Union to send individuals money.

55. S.B. stated that OLIVER primarily used three email addresses to conduct business and recalled one of them as being olivertwistnc2003@gmail.com.

**J. olivertwistnc2003@gmail.com Records**

56. Gmail subscriber records associated with the email address olivertwistnc2003@gmail.com, which has previously been identified in this affidavit as being linked to OLIVER's eBay account "emily-tastic" and also identified through S.B.'s interview, shows the account registered to the name "Bob" with no last name listed. The account was created by OLIVER in September of 2009.

57. The Google Pay billing account associated with olivertwistnc2003@gmail.com lists the customer name of "Bob Oliver," which is a name OLIVER commonly used, and the address as OLIVER's residence.

58. Login activity for this Gmail account identifies the IP address of 75.189.129.3 as logging into the account as recently as January 22, 2024. As previously discussed in this affidavit, IP address 75.189.129.3 has been linked to OLIVER at his residence.

59. Postal Inspectors applied for a Federal Search Warrant on the email address, olivertwistnc2003@gmail.com, and the Honorable Joe L. Webster signed the warrant (1:24MJ186-1). Investigators subsequently obtained records on the account and reviewed photographs, videos, and screenshot images from what appeared to be a cellular telephone associated with the account. The following photographs and images were discovered:



- a. An image of a USPS Priority Mail Express label with the return address of Bob OLIVER at his residence addressed to “T MCKINNEY, 5020 SOUTHEASTERN AVE., INDIANAPOLIS, IN 46203”. The label listed a scheduled delivery date of August 27, 2021.
- b. Images of several handwritten and typed inventory and pricing sheets which contained the names of numerous OTC medications, quantity of items, and price per item.
- c. One image containing four boxes of KardiaMobile, which is a device sold at retail stores that can record electrocardiograms, with damaged and removed EAS security stickers.

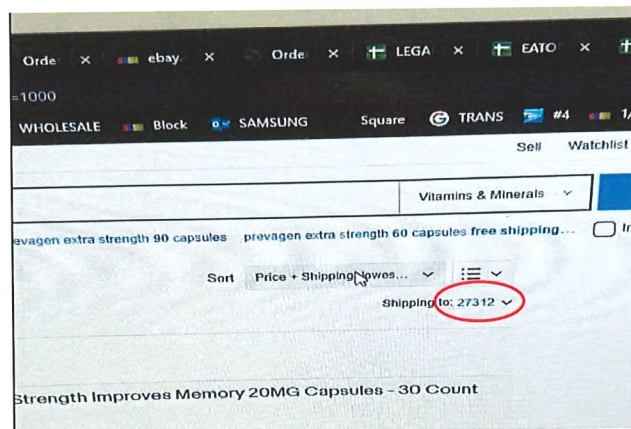
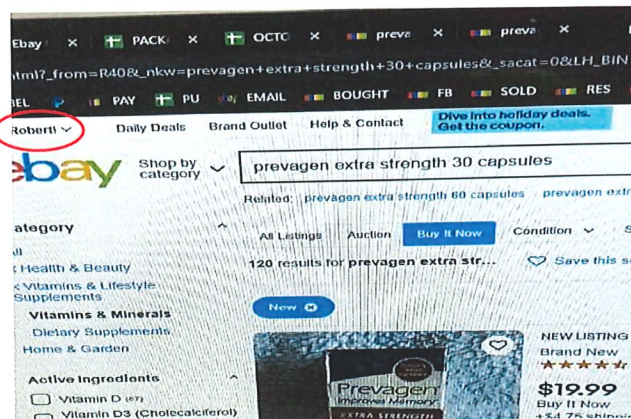


- d. Images from inside the residence believed to be OLIVER’s residence of shelving containing a large quantity of shipping boxes and containers, packaging material, and retail products and OTC medication. These images are consistent with statements made by S.B., and others, who have been inside OLIVER’s residence.



- e. A tutorial video made by OLIVER on how to obtain the current pricing on eBay of Prevagen Extra Strength 30 capsules. On the video, OLIVER is recording himself on a computer navigating several eBay sites and discussing tips on selling Prevagen on eBay and the best methods to find accurate pricing. The eBay homepage on the computer screen displays the name “Robert” and indicates “Shipping to: 27312”, which is the same zip code as OLIVER’s residence (highlighted in red on screenshots below).





f. Cellular telephone screenshot images of text messages discussing the purchase and sale of retail products and OTC medications as well as shipping and payment records.

60. The recovery telephone listed on the account is OLIVER's phone number (919) 444-4880. Furthermore, the alternate e-mail address and recovery email address listed on the Gmail account is olivertwistnc2003@yahoo.com.

#### K. olivertwistnc2003@yahoo.com Records

61. Yahoo subscriber records associated with the email address olivertwistnc2003@yahoo.com, which has previously been identified in this affidavit as being linked to OLIVER's eBay account "olivertwistnc" and also identified as the email address



OLIVER provided on his call to USPS customer service on August 8, 2022, shows the registered name on the account as OLIVER in the city of “Pittsboro, NC 27312.” The account registration date is listed as January 1, 2005. The recovery phone number on the account is (919) 444-4880, which has previously been discussed in this affidavit as being linked to OLIVER.

62. The email address olivertwistnc2003@yahoo.com is listed as a recovery email for another one of OLIVER’s yahoo accounts, olivertwistnc2011@yahoo.com, which is the email address linked to OLIVER’s third eBay account, “carolina\_otc”.

63. Login activity for olivertwistnc2003@yahoo.com account identifies the same IP address linked to OLIVER at OLIVER’s residence, 75.189.129.3, as logging into the account as recently as February 4, 2024. Furthermore, Charter subscriber records associated with the IP address 75.189.129.3 show that olivertwistnc2003@yahoo.com is one of the email accounts listed under “User Name or Features” on the account.

64. Bank of America records show that on May 28, 2021 and on October 12, 2021, OLIVER listed the email address olivertwistnc2003@yahoo.com on two business credit card applications for the corporation named “CAROLINA DEALS247”, which is the same name as one of OLIVER’s active eBay accounts.

#### **L. February 27, 2024, Undercover Purchase**

65. On or about February 27, 2024, the CVS ORCCI Manager made a controlled purchase of Prevagen from OLIVER’s eBay site, “carolina\_otc.” On March 1, 2024, the Prevagen arrived at its intended destination. The package listed the sender name as OLIVER with the return address being OLIVER’s residence. The Prevagen box was checked, and an RFID tag was located. The tag was scanned using an RFID scanner and it was determined that the original



product had been purchased by CVS and was intended to be sold on CVS shelves, and not through an eBay seller with the username “carolina\_otc”.

**M. USPS Parcel 5144 & USPS Parcel 5168**

66. On February 28, 2024, Postal Inspectors were profiling packages going to OLIVER’s residence and intercepted two parcels, with tracking numbers 9534 6105 5363 4057 7551 44 (“Parcel 5144”) and 9534 6105 5363 4057 7551 68 (“Parcel 5168”), that were suspicious in nature. Both parcels sounded like they contained pills when moved, and like the boxes shipped to OLIVER’s residence in 2019 and 2023, had handwritten labels and were heavily taped. Both parcels had handwritten labels with the sender name, “Redick,” with a return address of 2018 Oldfield Pt. Rd., Elkton, MD.

67. Postal Inspectors applied for Federal Search Warrants, and the Honorable United States Magistrate Judge Joe. L Webster signed the warrants (1:24MJ92-1 and 1:24MJ93-2) on February 28, 2024. On February 29, 2024, both parcels were opened by postal inspectors in Greensboro, NC, pursuant to the signed Federal Search Warrant. Both parcels contained 144 OTC medications and retail items.

68. Parcel 5144 contained the following items:

<u>Items in Box</u>	<u>Quantity</u>
Prevagen (30 Capsules- Professional Formula)	4
Prevagen (30 Capsules- Extra Strength)	6
Prevagen (30 Capusules- Regular Strength)	6
Plan B One-Step	16
Inventory Sheet (containing list of OTC items, from both parcel 5144 & parcel 5168, quantity of each item, price per unit of each item, and totals)	1

After closely inspecting each item, I discovered that all of the Prevagen packages had small cuts across the front of the packaging. Upon turning each Prevagen package over, it was evident that

the cuts were made through each of the package's Electronic Article Surveillance (EAS) anti-theft sticker tags (as diagramed in the below pictures within the red highlighted areas).



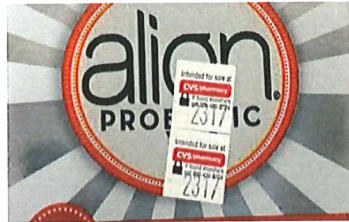
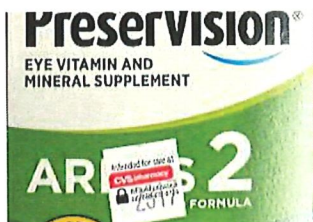
69. In my training and experience, I know that retailers use EAS stickers as a theft prevention system. When a paying customer presents an item with an EAS sticker at a point of sale (POS) register, the EAS sticker is disabled after payment is made, allowing the paying customer to walk-out of the store without the security pedestals or alarms being activated. Thieves can circumvent the security pedestals from being activated by cutting the EAS stickers or removing them from the packaging altogether, thus making the EAS stickers ineffective in activating any security alarms.

70. I used the RFID Prevacen scanner to scan 16 Prevacen bottles located inside of one of the parcels. The results of those scans show that all 16 Prevacen bottles were initially slated to be sold at Walgreens.

71. Parcel 5168 contained the following items:

<u>Items in Box</u>	<u>Quantity</u>
PreserVision Areds120	2
Preservision Areds 130	1
RePhresh Pro-B	9
Florastor	5
IB Gard	28
FD Gard	13
AZO	8
Muro Eye Ointment	14
Dermed- Pink	5
Dermed- Blue	4
Recticare	3
Flonase Sensimist	3
Crest Glamorous Whitening Strips	3
Crest 1-hour express Whitening Strips	2
Zyrtec 90	19
Zyrtec 60	5
Align 56	3
Align 42	16
Allergy Test kit	1

72. I also discovered two packages of PreserVision, three packages of Align Probiotic, and two packages of RectiCare with stickers that contained the following statement, “Intended for Sale at CVS/pharmacy if found elsewhere call 866-439-8724.”



73. A manager with CVS’s ORCSI confirmed that these stickers were placed onto these items by CVS employees and the items were intended to be sold at CVS retail stores only.

74. Furthermore, when asked what happens to remaining retail merchandise, such as OTC medications, at a CVS store that goes out of business or permanently closes, CVS’s ORCSI manager stated that the items would be shipped to another CVS store and sold there. The ORCSI manager confirmed that these items would never be sold, in bulk, to OLIVER outside of a retail



setting. Additionally, CVS's ORCSI group queried all incoming phone calls to the 866-439-8724 number to determine if anyone had called CVS to report the missing containers of PreserVision and/or Align Probiotics. The ORCSI group found that no calls were received from OLIVER between March of 2021 to March of 2024.

75. As previously mentioned in this affidavit, both parcels had handwritten labels with the sender name, "Redick," with a return address of 2018 Oldfield Pt. Rd., Elkton, MD. Investigators identified Richard Redick as an individual currently living at that address. A criminal history check on Redick reveals that has been previously arrested for theft of retail items, to include at least one incident involving the theft of retail merchandise similar to the items found in the 2019, 2023, and 2024 parcels. Additionally, USPS records show that within the last five months (between October of 2023 and February of 2024), there have been 10 parcels weighing between 5 to 20 pounds originating from Redick OR Elkton, MD being shipped to OLIVER's residence.

76. On February 29, 2024, both parcels were repackaged by postal inspectors and handed to a USPS employee in Pittsboro, NC, to be delivered. The USPS employee subsequently traveled to OLIVER's residence and placed both items inside a room of the residence that is commonly used for parcel deliveries.

77. In continued profiling of USPS packages being shipped to OLIVER's residence, investigators discovered that between the dates of March 1, 2024, and April 26, 2024, OLIVER has received seven parcels weighing over five pounds at OLIVER's residence. In my training and experience, the weight and shipping services associated with these parcels are consistent with previous parcels shipped to OLIVER's residence that were verified to contain retail merchandise. Given the above-mentioned statements from witnesses, eBay records, and shipment records, it is

likely that retail products, such as OTC medications, are currently located inside OLIVER's residence.

**N. Confidential Source Interview**

78. On February 29, 2024, I interviewed a confidential source, an individual whose initials are L.B., who regularly meets with OLIVER and frequents OLIVER's residence. L.B. advised that in early February of 2024, L.B. entered OLIVER's residence and observed over 1000 retail products on shelves that included pregnancy tests, allergy medications, and dog medications. L.B. additionally stated that OLIVER had openly discussed receiving a parcel at OLIVER's residence that contained OTC medication returned by a customer.

**O. May 30, 2024, Undercover Purchase**

79. On or about May 30, 2024, the CVS ORCCI Manager made a controlled purchase of Prevagen from OLIVER's eBay site, "emily\_tastic." On May 31, 2024, postal inspectors intercepted all outbound parcels originating from OLIVER's residence. Postal inspectors discovered 49 parcels packaged in white mailer envelopes or small boxes. While handling the parcels, postal inspectors noted that most of the parcels sounded like they contained pills. All the parcels had shipping labels with pre-paid postage and OLIVER's residence listed as the return address. While all the parcels bore the OLIVER's residence as the return address, they all contained the following names associated with the return address, "Emily Tastic", "Bob Oliver", "Carolina\_OTC", "olivertwistnc", and "Robert W Oliver". The business names are the same names associated with OLIVER's eBay accounts. In my training and experience, individuals who ship numerous items daily using prepaid postage bearing different business names on the labels usually operate multiple businesses or entities from the same location. Below are images of the outbound parcels being shipped from OLIVER's residence on May 31, 2024.



80. Postal inspectors retrieved the parcel associated with the May 30, 2024, controlled purchase. The package listed the sender name as OLIVER with the return address being OLIVER's residence. On June 3, 2024, postal inspectors opened the parcel and discovered a bottle of Prevagan matching the item description listing on OLIVER's eBay site, "emily\_tastic."

**P. PayPal Account XXX XXXX XXXX XXXX 7490**

81. A review of PayPal transaction records between the dates of January 2019 and February 2024, for account ending 7490, show it to be an account registered to OLIVER at OLIVER's residence. Financial transactions on account 7490 show that this PayPal account is funded, in part, through the sale of OTC products and retail merchandise. Between the dates of January 1, 2019, and February 2024, PayPal account 7490 received approximately \$1,263,401 in incoming payments.

82. Records additionally show Bank of America checking accounts ending 2752 and 9725, which were opened by OLIVER, are banks accounts currently linked to PayPal account 7490 as of February 2024.



**Q. PayPal Account XXX XXXX XXXX XXXX 9287**

83. A review of PayPal transaction records between the dates of January 2019 and February 2024, for account ending 9287, show it to be an account registered to OLIVER at his residence. Additionally, the primary email account associated with the PayPal account ending in 9287 is listed as olivertwistnc2003@yahoo.com. Financial transactions on account 9287 show that this PayPal account is funded, in part, through the sale of OTC products and retail items. Between the dates of January 1, 2019, and February 2024, PayPal account 9287 received approximately \$5,498,109 in incoming payments.

84. PayPal records for account ending 9287 additionally show numerous payments made to S.B. Specifically, between December 2020 and January 2021, 25 payments totaling \$5,235 were made directly to the counterparty name of S.B. in the form of “Mobile Payments-Personal” as well as “General Payments- Personal”. Additionally, one payment for \$2,750 was made on April 2, 2021, with the payment notes reflecting “[XX]/S.B. April rent.”

85. PayPal records additionally show Bank of America checking accounts ending 2752, 9725, and 4334, which were opened by OLIVER, are current bank accounts linked to PayPal account 9287 as of February 2024.

**R. Bank of America Account XXXXX2752**

86. Investigators reviewed Bank of America account ending 2752, which was opened by OLIVER. The address on the account statement is listed as OLIVER’s residence. Investigators discovered that between on or about January 1, 2019, and on or about February 2024, BOA account ending 2752 was one of three BOA accounts controlled by OLIVER that was receiving funds from PayPal and eBay which investigators believe to be related to the sale of retail products from OLIVER’s aforementioned eBay business accounts.

87. Specifically, between January 20, 2021, and July 22, 2022, eBay Seller Payout records for the SUBJECT BUSINESSES show the following transfers being made into the Bank of America account ending 2752:

<u>eBay Account</u>	<u>Transfer Amount</u>
Carolina_etc:	\$315,906.51
Emily-tastic:	\$528,301.84
Olivertwistnc:	\$191,891.39
<b>Total:</b>	<b>\$1,036,099.74</b>

88. Records from BOA account ending 2752 between January 9, 2019, and May 17, 2022, reveal that over 130 wire transfers totaling \$517,308 were sent by OLIVER to Herwehe and McKinney. Many of the wire transfers were performed one to four days apart from each other and none of the transfers were over \$10,000. In my training and experience, individuals who repeatedly send out large wire transfers under \$10,000 to the same individual, within a short period of time, do so to avoid scrutiny from financial institutions and to evade law enforcement.

89. A review of other outbound payments on BOA account ending 2752 additionally revealed hundreds of Peer to Peer (“P2P”) <sup>4</sup> payments (from payment processing companies such as CashApp, Zelle, and FB Pay) to several known and unknown individuals. These outbound payments consisted of amounts that varied from ten dollars to two thousand dollars. Many of these payments were sent by OLIVER to the same recipients within a timespan of several days. In my training and experience, individuals who repeatedly send multiple P2P payments, within a short period of time to the same individual, do so to avoid law enforcement detection.

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<sup>4</sup> Peer to Peer (“P2P”) payment services are financial transactions made between two parties with separate bank accounts, provided by a third-party website or mobile application.

**S. Bank of America Account XXXX XXXX 4334**

90. Investigators reviewed Bank of America account ending 4334, which was opened by OLIVER. The address on the account statements are listed as OLIVER's residence. Investigators confirmed that account 4334 was identified as receiving funds from PayPal and eBay which investigators believe to be related to the aforementioned sale of OTC products from OLIVER's eBay business accounts.

91. Between July 22, 2022, and May 18, 2024, eBay Seller Payout records for the SUBJECT BUSINESSES show the following transfers being made into the Bank of America account ending 4334:

<u>eBay Account</u>	<u>Transfer Amount</u>
Carolina_otc :	\$374,314.77
Emily-tastic:	\$334,700.80
Olivertwistnc:	<u>\$256,306.19</u>
<b>Total:</b>	<b>\$965,321.76</b>

92. A review of outbound payments from this BOA account revealed numerous P2P payments that were sent by OLIVER to the same recipients within a timespan of several days.

**T. Bank of America Account XXXX XXXX 9725**

93. Investigators reviewed Bank of America account ending 9725, which was opened by OLIVER. The address on the account statements are listed as OLIVER's residence. Investigators confirmed that account 9725 was identified as receiving funds from PayPal and eBay which investigators believe to be related to the aforementioned sale of OTC products from OLIVER's eBay business accounts.

94. A review of outbound payments from this BOA account additionally revealed numerous P2P payments that were sent by OLIVER to the same recipients within a timespan of several days.



95. Bank records additionally reveal that between January 2022 and January 2024, OLIVER conducted hundreds of online bank transfers ranging from \$100 to several thousand dollars between all three of his BOA accounts. These records show multiple transfers made to and from the same accounts on an almost weekly basis. In my training and experience, individuals who conduct numerous transfers between multiple accounts of the same financial institution, also known as layering<sup>5</sup>, do so in an effort to make the source of those funds difficult to trace.

96. Additionally, BOA records show OLIVER conducting large ATM cash withdrawals between all three accounts with similar frequency. Below is a table reflecting ATM withdrawals across all three BOA in the 12-day period between July 7, 2022, and July 18, 2022.

BOA CHATHAM CROSSING- CHAPEL HILL, NC				BOA RESEARCH TRIANGLE PARK, DURHAM, NC			
TRANS. DATE	ACCT 2752	ACCT 4334	ACCT 9725	TRANS. DATE	ACCT 2752	ACCT 4334	ACCT 9725
7/7/2022	\$800.00	\$800.00	\$800.00				
	\$700.00		\$700.00				
				7/8/2022	\$800.00	\$800.00	\$800.00
					\$700.00		\$700.00
7/9/2022	\$800.00	\$800.00	\$800.00				
	\$700.00		\$700.00				
7/11/2022		\$1,200.00	\$800.00				
		\$1,200.00	\$700.00				
7/12/2022		\$1,200.00	\$800.00				
		\$1,200.00	\$700.00				
		\$100.00					
7/14/2022	\$1,200.00	\$1,200.00	\$1,200.00				
	\$300.00	\$1,200.00	\$300.00				
		\$100.00					
7/15/2022	\$1,200.00	\$1,200.00	\$1,200.00				
	\$300.00	\$1,200.00	\$100.00				
		\$100.00					
7/17/2022	\$800.00	\$1,200.00	\$1,200.00				

<sup>5</sup> According to the U.S. Department of Treasury, layering involves separating the illegally obtained money from its criminal source by layering it through a series of financial transactions, which makes it difficult to trace the money back to its original source.

	\$700.00	\$1,200.00	\$300.00				
		\$100.00					
7/18/2022	\$1,200.00	\$1,200.00	\$1,200.00				
	\$300.00	\$1,200.00	\$300.00				
		\$100.00					

The above table shows a total of \$41,100 cash withdrawn from two ATM locations for this 12-day period. Specifically, the activity shows multiple ATM withdrawals from all three accounts on the same day. In my training and experience, individuals who conduct multiple ATM withdrawals on a recurrent basis from multiple accounts, all within the same day, are attempting to structure cash withdrawals in an effort to evade detection by law enforcement. Additionally, in my training and experience, these cash withdrawals are also consistent with OLIVER obtaining cash to mail cash payments to Herwehe, and others, as previously discussed in this affidavit.

### CONCLUSION

97. Based on the above, the investigation has determined that OLIVER is likely engaged in the business of obtaining stolen merchandise such as OTC medications and retail products and then reselling the items through online retailers such as eBay. Based on OLIVER's financial records and other connections to suspected shoplifting rings, as well as the fact that he sells the products well below market retail value, despite not being an authorized dealer, it is believed that the majority of merchandise OLIVER is selling through online retailers is stolen.

98. Furthermore, a review of the transactions in the SUBJECT ACCOUNTS reflects that OLIVER directed or transferred criminally derived proceeds to each of the SUBJECT ACCOUNTS and commingled the criminally derived proceeds with other funds in the accounts in order to conceal the nature and source of the criminally derived funds, so that there is probable cause to believe that all funds in each of the SUBJECT ACCOUNTS, including any legitimate

funds, facilitated the commission of the money laundering offenses by concealing, hiding, and disguising the nature and source of the illegitimate funds.

99. In addition, based on my training and experience and the investigation described above, I submit there is probable cause to believe that funds on deposit in the SUBJECT ACCOUNTS constitute property involved in transactions or attempted transactions in violation of 18 U.S.C. § 1956, and are therefore subject to seizure and civil or criminal forfeiture to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(A) and 982(a)(1).

100. I submit that a protective or restraining order issued pursuant to Title 21, United States Code, Section 853(e) may be insufficient to ensure the availability of the funds in the SUBJECT ACCOUNTS for forfeiture because bank representatives receiving restraining orders sometimes fail to put the necessary safeguards in place to freeze the money in time to prevent the account holder from accessing the funds electronically, or fail to notify the proper personnel as to the existence of the order, or the bank exercises its own right of setoff to satisfy an outstanding debt owed to the bank by the account holder. In contrast, where electronic funds are concerned, a seizure warrant guarantees that the funds will be in the Government's custody once the warrant is served. Thus, I submit that a seizure warrant is the only means to reasonably assure the availability of the funds in the SUBJECT ACCOUNTS for forfeiture.



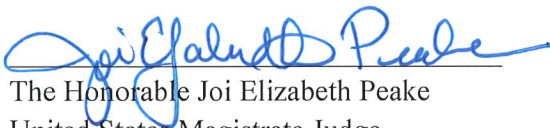
101. Accordingly, I respectfully request that warrants be issued authorizing the seizure of all funds in the SUBJECT ACCOUNTS.

Respectfully submitted,

/s/ Alberto G. Sanabria  
Alberto G. Sanabria  
Postal Inspector  
United States Postal Inspection Service

In accordance with Rule 4.1(b)(2)(A), the Applicant appeared before me by telephone, was placed under oath, and attested to the contents of this Affidavit, which was submitted to me by reliable electronic means.

On this 7 day of June, 2024, at 5:26 a.m./p.m.



The Honorable Joi Elizabeth Peake  
United States Magistrate Judge  
Middle District of North Carolina